

**HITT GAINES, P.C.**  
Intellectual Property Law & Related Matters

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**FACSIMILE TRANSMISSION**

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TO: Examiner Maldonado  
Group Art Unit #2823

FAX NO. (703) 872-9306

FROM: Charles W. Gaines

RE: Serial No. 09/092,158  
Amendment under 37 CFR 1.116  
Docket No. MERCHANT 33-3-3

DATE: March 15, 2004

PAGES: 5 (including cover page)

If you do not receive the indicated number of pages, please notify the sender at the telephone number shown below. Thank you.

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**MESSAGE:**

**PLEASE DELIVER TO EXAMINER IMMEDIATELY! THANK YOU.**

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Mailing Address: P.O. Box 832570, Richardson, Texas 75083  
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**HITT GAINES, P.C.**  
Intellectual Property Law & Related Matters

March 15, 2004

Ms. Kyshon Rivers  
Outside Counsel Coordinator  
Agere Systems Inc.  
Connell Corporate Center IV  
Intellectual Property Law  
4 Connell Drive  
Berkeley Heights, NJ 07922

**Re: U.S. Patent Application No. 09/092,158**  
**Your File: MERCHANT 33-3-3**  
**Our File: AGER-113941**

Dear Kyshon:

Enclosed for your records is a copy of the Amendment under 37 CFR 1.116 responding to the February 12, 2004 Office Action that has been filed with the U.S. Patent and Trademark Office (PTO) on this date regarding the above-identified patent application.

Please let me know if I can be of further assistance.

Very truly yours,

**HITT GAINES, P.C.**

  
Charles W. Gaines

CWG/RJC:ljs  
Enclosure

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"Reply under 37 CFR 1.116

--Expedited Procedure--

Examining Group 2823

DOCKET NO. : MERCHANT 33-3-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sailesh Merchant, *et al.*

Serial No.: 09/092,158

Filed: June 5, 1998

For: METHOD FOR THE FABRICATION OF CONTACTS IN AN  
INTEGRATED CIRCUIT DEVICE

Grp./A.U.: 2823

Examiner: Maldonado, Julio J.

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office (Fax No.  
(703)872-9306 on: March 15, 2004 (date).

Elizabeth Schumacher

Typed or printed name of person signing the certificate

Signature

AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Examiner's Action mailed February 12, 2004, please consider the following  
remarks: